



Implementation of *Shar'u Man Qablanā* in Fatwa of Indonesian Ulama Council

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Abstract

This study aims to analyze the concept of *syar'u man qablanā* and its position as a source of Islamic law, examined from various perspectives of *fiqh* scholars. There are still differences in the various views of *fiqh* scholars regarding the position of *syar'u man qablanā*s, a source of Islamic law, particularly as a basis for establishing fatwas. Furthermore, this study also examines the application of *syar'u man qablanā* as a basis for establishing fatwas by the Indonesian Ulama Council. This used qualitative method, employing a literature review with discourse analysis and adopting a normative research approach through the utilization of the statute and conceptual approaches. This study concludes that the scholars agree that *syar'u man qablanā*, which is not explained in the Qur'an does not apply to the people of the Prophet Muhammad. As for the *syar'u man qablanā* which is not mentioned in the Qur'an, the scholars have several views in concluding it. Indonesian Ulama Council has made at least nine verses of the Qur'an containing *syar'u man qablanā* as a basis for establishing several fatwas, such as fatwas concerning *ijarah*, *syarī'ah* card, multiservice financing, *kafalah*, *syarīa* factoring, and other fatwas related to the contemporary transactions. This study contributes to strengthening the study of the implementation of *syar'u man qablanā* as a basis for establishing Islamic law, especially in determining fatwas by contemporary scholars.

Keywords: fatwa, implementation, Indonesian Ulama Council, *syar'u man qablanā*,

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Introduction

Allah conveys His messages through the Prophets sent to humans. Each Prophet brought the teachings and messages of Allah to his people so that it became a sign that is lived in his life. Nevertheless, each of the instructions the Prophets brings refers to the same two fundamental things: faith and charity (F. Asni & Sulong, 2018; Hattach et al., 2020). The teachings of faith brought by each Prophet are the main foundation for humans unaffected by human life. Therefore, the pattern of faith taught by the Prophets is the same, where all the Prophets' teachings are based on tawhid (monotheism) (Fisol et al., 2017; Zulkefli et al., 2019). At the same time, charity concerns human activities influenced by the dynamics, changes, and developments in the structure of human life and culture that differ between eras so that the teachings brought by the Prophets regarding charity and human activity will vary from one another (Yazid, 2017).

Prophet Muhammad was Allah's last Messenger to all humankind (Shakirullah et al., 2019). He brought a plenary and comprehensive Islamic law to become a reference and a foundation for every human being in carrying out his life activities (Nasution, 2022). So that the teachings brought by Rasulullah. This applies to all humans without being limited by location and age. This is what makes Islamic law special compared to other heavenly laws (As-Samira'iy, 1434). Every teaching brought by Rasulullah has been contained in his legacy to all mankind, namely the Qur'an and Sunnah.

Syar'u man qablanā is the statute of Allah's laws, for mankind brought by the previous Prophets. Among this syarī'ah include the syarī'ah of the Prophet Ibrahim as, Prophet Musa as, Prophet Isa as, and other Prophets (Mushtafa & Ghauri, 2016). *Syar'u man qablanā* is a source of law where there are still differences in the views of the clergy regarding its blasphemy. Several scholars conveyed their views and arguments that accepted *syar'u man qablanā* as a source of law. While some scholars also argue that *syar'u man qablanā* cannot be used as evidence, especially in establishing fatwas. Indonesia itself has a special authority that has authority to issue fatwas related to Islamic finance. The Indonesian Ulama Council fatwa refers to various sources of argument as a basis, such as the al-Qur'an, sunnah, and several relevant *qawaid fiqhiyyah* (Islamic legal maxim).

All fatwas stipulated by the Indonesian Ulama Council have referred to the arguments from the Qur'an and Sunnah. Some of the arguments referred to are verses in the Qur'an that tell the story of the previous Prophets. This is interesting to study considering that the examples and teachings of the previous Prophet narrated in the Qur'an became the reference for scholars in establishing laws. This is also part of *syar'u man qablanā* which has been referred to by scholars in establishing these fatwas.

This article aims to analyze the concept of *syar'u man qablanā* by describing several forms and examples in the Qur'an and sunnah. Apart from that, the article also reviews the position of *shar'u man qablana's* as the source of Islamic law in establishing laws and examines his role as the basis for the Indonesian Ulama Council in establishing fatwas related to Islamic finance in Indonesia.

Method

This study employed a multifaceted research methodology, combining a literature review with discourse analysis and adopting a normative research approach through the utilization of the statute and conceptual approaches. This comprehensive methodology

allows for a thorough exploration of the legal issue at hand, offering insights from existing legal literature and doctrinal perspectives.

Result and Discussion

***Shar'u Man Qablana*: The Concept and Its Position as a Source of Law**

Syar'u man qablanā is the *syarī'ah* law established by Allah. over the previous people before the people of the Prophet Muhammad. as told and written in the Qur'an and Sunnah. *Syar'u man qablanā* is the same as the *syarī'ah* brought by Rasulullah. This shows that all the divine *syarī'ah* is the same with the same origin. Because the One who sent down all the divine *syarī'ah* is Allah, then the core scope of all *syarī'ah* is one. However, even though all of the divine *syarī'ah* come from the same source, and the essence contained is the same, there are differences in the details of the elements within them. Therefore, several *syarī'ah* of the former ummah were sanctioned by the *syarī'ah* of the Prophet Muhammad. Several others still apply to the people of the Prophet Muhammad (Zahrah, 1985, p. 305).

In discussing *syar'u man qablana*'s position as the source of Islamic law, whether it is applied to the people of Rasulullah . or not, there are at least two classifications described (Ash-Salih, 2002). *Syarī'ah* for the former ummah in the form of legal provisions applicable to this ummah and not described in the Qur'an or Sunnah. Related to this category, it is concluded that the *syarī'ah* does not apply to the people of the Prophet Muhammad. The *syarī'ah* applied to the earlier people and is mentioned in the Qur'an or Sunnah. In this category, there are at least three views of scholars.

Legal provisions that are clearly stated apply to the people of the Prophet Muhammad and the law on the previous people. In this case, the scholars agreed on implementing the *syarī'ah* for the people of the Prophet Muhammad. there is no contradiction (Ash-Salih, 2002). In other words, the *syarī'ah* law applies and must be applied to the people of the Prophet Muhammad. This has been the case for the ancients as well. If the *syarī'ah* law is contained in the Qur'an and Sunnah, and clearly states that the law is also prescribed for the people of the Prophet Muhammad. Then there is no contradiction that the *syarī'ah* also applies to the people of the Prophet Muhammad. and must be followed (Khallaf, 1942, p. 93).

This includes the fasting law, which was obligatory for the earlier people and also required for the people of the Prophet Muhammad, as stated in QS Al-Baqarah: 183 (Khallaf, 1996, p. 89). you who have believed, decreed upon you is fasting as it was decreed upon those before you that you may become righteous -Legal provisions that abolish or cancel the *syarī'ah* of the previous people for the people of the Prophet Muhammad. Through the argument that states so, either from the Qur'an or Sunnah. So that *shar'u man qablana*'s law will be different when other arguments explain it. As is the case with *syarī'ah* law mentioned in the Qur'an and Sunnah, another argument enforces it and cancels the law for the people of the Prophet Muhammad. Under these conditions, the *syarī'ah* law does not apply to the people of the Prophet Muhammad (Khallaf, 1942, p. 93).

There is no conflict among the scholars regarding this stipulation, so the people of Rasulullah are not obligated to carry out the *syarī'ah* or follow it (Ash-Salih, 2002). In other words, certain *syarī'ah* is declared to apply specifically to certain people of the Prophet, so they do not apply to the people of the Prophet (Zahrah, 1985, p. 306). Such include the prohibition to take *ghanimah* property, killing someone's soul as a step

toward repentance, and cutting off parts of unclean clothes. All of these laws have been sanctioned by the Prophet's *syarī'ah* (Al-Zuhaili, 1986). This *Syarī'ah* is like a legal stipulation on the halal *ghanimah* for the people of the Prophet Muhammad, which previously was something that was forbidden for the ancient people. This is confirmed in the hadith of the Prophet Muhammad described in Ash-Salih (2002). The halalness of this *ghanimah* has been stated in the sunnah so that it erases the law on the previous Prophet's *syarī'ah*.

Jabir ibn Abdillah, The Messenger of Allah said: "I was given five things that were not given to any of the Prophets before me: I was helped against my enemies by their fear from a distance of a month's journey, the earth was made for me as a place of prostration and is holy, then where if a man from my ummah finds it is time to pray he should pray, booty is lawful for me, the Prophets before me were sent specifically for their people while I was sent for all mankind, and I was given" (the right) intercession. (Narrated by Bukhari) The scholars have agreed upon the law on the *syarī'ah* of the previous ummah described in the two conditions above. The *Syarī'ah* of the former people also applies to the people of the Prophet Muhammad because it is clearly stated in the texts of the Qur'an and Sunnah, or the *Syarī'ah* of the previous people, which did not apply to the people of the Prophet Muhammad. After all, another argument prescribes the *syarī'ah* law for the last people, so it doesn't apply.

In different conditions, scholars differ in opinion regarding the position of *syar'u man qablanāas*, the source of Islamic law. This condition occurs when there are previous *syarī'ah* conveyed through the Qur'an and Sunnah, but no editorials are found which show the application of the Prophet's people, or there is no information that erases or cancels its implementation for the Prophet's people (Khallaf, 1942, p. 94). This is like the *qishash* law that applies to the Children of Israel stipulated in the Torah (Ash-Salih, 2002, p. 356), as stated in QS Al-Maidah: 45.

"And We ordained for them therein a life for a life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth, and wounds is legal retribution. But whoever gives [up his right as] charity, it is an expiation for him. And whoever does not judge by what Allah has revealed is those who are the wrongdoers".

Referring to the concepts and arguments of *syar'u man qablanā*, it can be seen that *syar'u man qablanā* is not an independent proposition. Because actually, the legal provisions on *syar'u man qablanā* refer to the Qur'an and Sunnah. He does not define a specific law but refers to the legal provisions of the Qur'an or Sunnah (As-Salih, 2002, p. 358). This view concludes that *syar'u man qablanā* is not a new *syarī'ah*, but legal provisions are taken by referring to *syarī'ah* contained in the Qur'an or Sunnah. This is also in line with the characteristics of Islamic law, which are comprehensive and universal, apply to all people, and erase the previous *syarī'ah*.

The *Syarī'ah* Law of the Former Ummah, which does not Contain Any Statement of Denial or Stipulation

Related to these conditions, there are several views of scholars who explain the *syarī'ah* law of the former ummah with several arguments by referring to various cases that occurred (Ash-Salih, 2002, p. 356). The first opinion of the Hanafiyah scholars and some *Mālikiyah* and *Syāfiyah* explains that the *syarī'ah* of the earlier people in this category applies to the people of the Prophet so that it is obligatory to be followed and carried out as long as there is no evidence for it. This opinion is based on the argument

that the *syarī'ah* is a divine law ordained by Allah through His Prophets. Therefore, every *mukallaf* must implement the *syarī'ah*.

Meanwhile, some scholars view that the previous *syarī'ah* does not become the *syarī'ah* for the last ummah because the *syarī'ah* that applies to the last ummah supersedes the previous *syarī'ah*, unless there is evidence stating the obligation to carry out the *syarī'ah* (Khallaf, 1942, p. 94). Ash'ari, Mu'tazilah, and Shia scholars, as well as several scholars such as al-Ghazali, al-Amidi, al-Razi, Ibn Hazm, and az-Zhahirī stated that *syar'u man qablanā* is not a *syarī'ah* for the people of the Prophet Muhammad. Meanwhile, Ibn al-Qusyairī and Ibn Burhan stopped enacting the law until a valid argument explained the law in *syar'u man qablanā* (Al-Zuhailī, 1986, p. 842).

Khallaf (1942) states that the opinion that is more appropriate for him is the first opinion, which emphasizes the obligation to implement the previous *syarī'ah* if no information deletes or cancels it. He believed that the *Syarī'ah* of the Prophet's people would abolish the *syarī'ah* of the previous ummah if it conflicted with each other. So if the *syarī'ah* of the previous ummah was mentioned in the Qur'an and there is no information confirming it, then it becomes a *syarī'ah* that must be implemented. This opinion is also based on the fact that the Qur'an is a book that justifies what was revealed in the Torah and the Bible. Thus, if no information establishes the previous *Syarī'ah*, then it becomes *syarī'ah* for the people of the Prophet Muhammad that must be implemented (Khallaf, 1942).

This opinion aligns with the idea of the majority of scholars conveyed by Ash-Sālih (2002). He explained that the *syarī'ah* of previous people were contained in the Qur'an or Sunnah, and no texts denied or stipulated it. Hence, the *syarī'ah* law also applied to the people of the Prophet Muhammad; no text endorsed the *syarī'ah*. This opinion is based on several arguments (Ash-Sālih, 2002, p. 356).

The stipulations of the *syarī'ah* law of the former ummah are the same as the law of inheritance, where the stipulations of the law are "inherited" to the people of the Prophet Muhammad. as the last people. Thus, the law remains in force if no text abrogates or cancels it. This is confirmed by referring to the word of Allah in QS *Fāthir*: 32.

Then we caused to inherit the Book those We have chosen of Our servants; Islamic *Syarī'ah* is a comprehensive *syarī'ah* that erases the *syarī'ah* of the previous people and applies to all people. So, all matters contained in Islamic law, including the law of the earlier people, are mentioned in the Qur'an and Sunnah, and there is no evidence supporting them, so the same legal provisions apply as they did to the earlier people.

Furthermore, al-Zuhailī also outlined several arguments that underlie the scholars in concluding his opinion about whether *syar'u man qablanā* became a *syarī'ah* for the people of the Prophet Muhammad. or not. This argument can be viewed by those who accept *syar'u man qablanā* as the *syarī'ah* of the Prophet's people, and those who oppose it. Those who accept base their opinion on four basic arguments (Al-Zuhailī, 1986, p. 844). *Syar'u man qablanā* is a *syarī'ah* that Allah revealed. So as long as there is no evidence supporting it, it also applies to the people of the Prophet Muhammad. This is in accordance with the command's argument to follow the Prophets' instructions through Allah's words. in QS Al-An'am: 90.

“Those are the ones whom Allah has guided, so from their guidance, take an example”.

There are several different views among scholars regarding this argument. It was explained that the instructions mentioned in the verse do not indicate the establishment of *syarī'ah* in general. However, the instructions in the context of the verse are general instructions that cover all *Syarī'ah*. These instructions cover the basics of religion and five main points, which include *hifzh an-nufūs* (safeguarding the soul), *hifzh al-'uqūl* (safeguarding the mind), *hifzh al-ansūb* (safeguarding offspring), *hifzh al-a'rūdh* (safeguarding the honor), and *hifzh al-amwūl* (safekeeping).

This group also relies on the verses that explain the *syarī'ah* of *qishāsh*. They argued that if Rasulullah does not carry out the *syarī'ah* of the previous Prophet, then it is not valid to have a position with the obligation of *qishāsh* for the Children of Israel.

This argument is also criticized because the obligation of *qishāsh* is part of the Prophet's *syarī'ah*. This refers to the word of Allah. in QS Al-Baqarah: 178.

“O you who have believed, prescribed for you is legal retribution for those murdered.” They also refer to the order of Rasulullah. to make up the prayer when you forget. He said:

“Whoever leaves the prayer because he is asleep or forgets, then he should perform the prayer after remembering; he recites the word of Allah. (and establish prayer to remember Me)”

It is known that the verse is a book to the Prophet Musa as. So if Rasulullah. He did not carry out the *syarī'ah* of the previous Prophet, so his steps in reciting the verse were meaningless. In addition to these four arguments, those who oppose the *syar'u man qablana's istidlal* also convey several arguments that underlie their opinion (Al-Zuhaili, 1986, p. 845).

Verily, the Messenger of Allah, when sending Mu'adz bin Jabal to Yemen, asked Mu'adz about the basis he stipulates the law. Mu'adz then said he would refer to the Qur'an, sunnah, and *ijtihad*. Rasulullah. also confirmed it and did not direct him to refer to *shar'u man qabalana*.

This argument was criticized by explaining that the *Qur'an* has comprehensively covered all matters so that *syar'u man qablanā* was not mentioned by Rasulullah . to Mu'adz as a reference. And actually, the mujtahids do *ijtihad* on issues that are not mentioned in the Qur'an.

The evidence that shows that *syar'u man qablanā* does not refer to them is the word of Allah in QS Al-Maidah: 48.

...To each of you, We prescribed a law and a method. ...

The verse shows that every community and class has its own *Syarī'ah*. So, people are not required to follow the *Syarī'ah* of other people.

If *syar'u man qablanā* is run by Rasulullah. and his people, it is obligatory for the mujtahids among the companions to study it and question everything that occurs in disputes.

The *syarī'ah* of the previous people was only reserved for the Prophets who brought the *syarī'ah*. As for the Islamic *syarī'ah*, as agreed upon by the scholars, is a *Syarī'ah* that erases the previous *syarī'ah*. So if Rasulullah carried out the *syarī'ah* of the previous people will be stipulated (*taqrīr*) by Him and not in the scriptures.

It is something that scholars have agreed that the Islamic *syarī'ah* becomes the *nasikh* for all the previous *syarī'ah*. However, this does not apply absolutely to all aspects of the previous *syarī'ah*, but Islamic *syarī'ah* prescribes things contrary to the previous *syarī'ah*. Apart from that, most of the scholars of *Ushūl* and *Hadīth* scholars

also determined that *syar'u man qablanā* is a *syarī'ah* for the people of the Prophet, with the condition that there is an authentic stipulation contained in the Qur'an or Sunnah because the previous *syarī'ah* was the divine *syarī'ah*. And verily, the Qur'an justifies what was revealed in the Torah and the Bible.

Did Rasulullah Refer to Certain *Syarī'ah* before Islam?

Several materials and objects of discussion and analysis related to *syar'u man qablanā*s, a source of law, have emerged among scholars. Among others, one of the objects of his study is related to the question, 'Did the Messenger of Allah. worship with a certain *syarī'ah* before being sent as a Prophet?' To answer this question, in general, two points of view can be used to answer, by referring to several opinions of the scholars.

First, by using the reasoning *'aqli*, Ash-Salih (2002) describes his view that this is possible based on *'aqli* reasoning, considering that all heavenly teachings come from Allah (Ash-Salih, 2002, p. 346). Second, the question is answered with a *naqli* approach. When viewed from the side of *naqli* reasoning, no specific argument explains the *syarī'ah* implemented by the Prophet Muhammad. in pre-apostolic worship. Nevertheless, several opinions say that the Messenger of Allah. follow the law of the Prophet Abraham. This view is based on several reports related to the Prophet's *sirah*. He followed the teachings of the straight millah Ibrahim (*hanif*) (Ash-Salih, 2002, p. 346).

Related to this, Al-Zuhailī expressed differences of opinion among scholars. There are at least three schools of thought that the scholars expressed their opinion on this matter. Some of the Mālikiyah and Mutakallimīn groups denied *ta'abbud* with the *syarī'ah* of the previous Prophet. The second group, from some of the Hanāfiyah, Hanābilah, and several scholars such as Ibn al-Hajib, al-Qadhi al-Baidhawi established *ta'abbud* Rasulullah. with the *syarī'ah* of the previous Prophet. While the third group, including Imam Al-Ghazāli, al-Amidā, and al-Qadhī Abdul Jabbar stopped establishing the law. This is because there is no definite argument regarding the *ta'abbud* Rasulullah before his Prophethood (Al-Zuhaili, 1986, p. 839).

Similar to Ash-Salih's explanation, al-Zuhaili mentioned several scholars' opinions regarding the previous Prophet's *syarī'ah*, which Rasulullah carried out. According to the group that determines the *ta'abbud* of Rasulullah. This opinion, among other things, stated that the Messenger of Allah carry out the law of the Prophet Adam because the *Syarī'ah* is the first *Syarī'ah* of all the *Syarī'ah* brought by the previous Prophets. There is also an opinion that suggests that the Messenger of Allah carry out the law of Prophet Noah as. based on the word of Allah, in QS Asy-Shura: 13.

He has ordained for you of religion what He enjoined upon Noah.

In addition, an opinion states that the Messenger of Allah follows the law of the Prophet Abraham. This refers to the word of Allah in QS An-Nahl: 123. Then We revealed to you, [O Muhammad], to follow the religion of Abraham, inclining toward truth; and he was not of those who associate with Allah.

In a different view, Rasulullah is also said to carry out the *syarī'ah* of Prophet Musa as., and is also said to carry out the *syarī'ah* of Prophet Isa because he is a figure of the Prophet who was closer in his lifetime to the Prophet Muhammad. Al-Zuhaili has the same view as Ash-Salih, stating that the opinion closest to the truth regarding the *Syarī'ah* that was carried out by the Prophet Muhammad. is the *Syarī'ah* of Prophet

Abraham. This refers to several verses of the Al-Qur'an which explain the command to Rasulullah. to follow the *millah* of Prophet Ibrahim because the existence of an order to carry out the syarī'ah indicates a specificity in the syarī'ah (Al-Zuhaili, 1986).

Ibn Taimiyah explained that the Prophet Ibrahim is a leading figure for all humans followed by all humans and is a figure who teaches goodness (Taimiyah, 2004, p. 106 Vol. 19). This opinion is based on the word of Allah. in QS Al-Baqarah: 124. And [mention, O Muhammad], when Abraham was tried by his Lord with commands, he fulfilled them. [Allah] said, "*Indeed, I will make you a leader for the people.*" ...

In another verse, it is also explained that those who hate Millah Ibrahim are stupid people. This is as stated in QS Al-Baqarah: 130 (Taimiyah, 2004). And who would be averse to the religion of Abraham except one who makes a fool of himself. And We had chosen him in this world, and indeed he, in the Hereafter, will be among the righteous.

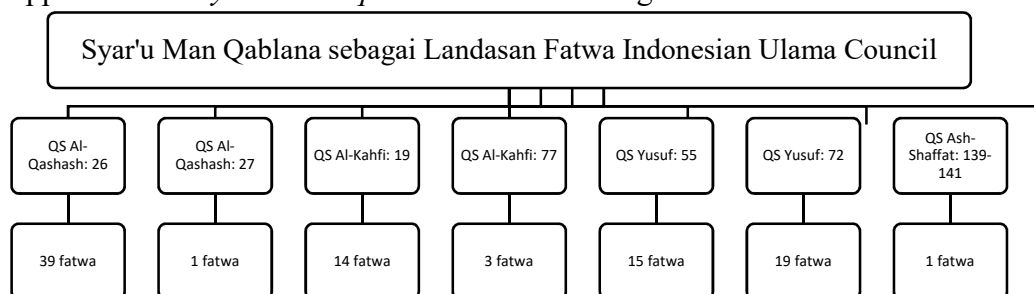
Implementation of *Syar'u man qablanāin* Determining Fatwa of the Indonesian Ulama Council

Syar'u man qablanā is one of the references in establishing Islamic law in various aspects of human life. Without exception, social life's economic and financial aspects involve human interaction, like the syarī'ah taught by the Prophet Yusuf related to food management and economic policy. Allah even mentions that the story of the Prophet Yusuf is the best story reported in the Qur'an. This is because the story is described in detail, unlike other stories generally told partially.

Allah has described several stories of the previous Prophet in the Qur'an. Several verses explaining the previous Prophet's syarī'ah have been used as a reference for scholars in establishing laws and fatwas (F. Asni, 2018). The Indonesian Ulama Council, which has the authority to issue fatwas related to syarī'ah financial transactions in Indonesia, also bases some of its fatwas on verses of the Qur'an, which contain the syarī'ah of the previous Prophet. At least nine verses in the Qur'an are used as the basis for establishing the Indonesian Ulama Council fatwa. The nine verses include QS Al-Qashash: 26, QS Al-Qashash: 27, QS Al-Kahf: 19, QS Al-Kahfi: 77, QS Yusuf: 55, QS Yusuf: 72, and QS Ash-Shaffat: 139 -141. Figure 2 describes the *Syar'u man qablanā* application contained in the nine verses applied as the basis for establishing several Indonesian Ulama Council fatwas.

Figure 1

Application of *Syar'u man qablanāin* Determining Fatwa of Indonesian Ulama Council



Source: Author, 2022

One of the women said, "*O my father, hire him. Indeed, the best one you can hire is the strong and the trustworthy.*" QS Al-Qashash: 26

This verse is the most often used as the basis for establishing fatwas with 39 fatwas. Several fatwas related to the implementation of *ijarah* and *wakalah* contracts

were stipulated based on the verse about the Prophet Musa. Through these verses, Allah tells the story of Prophet Musa when he was about to be employed by the Prophet Shu'aib at the request of his daughter. In the interpretation of Ibn Kathir, it is explained that the Prophet Shu'aib questioned the reason his daughter asked to hire him. His daughter also replied that the Prophet Musa could lift a large rock with only by ten men. In addition, it was also explained that when their daughters were walking with Prophet Musa they were asked to walk behind Prophet Musa and ordered the woman to throw pebbles at him when they went the wrong way (A. F. I. I. Katsir, 2008).

The verse describes the technical engagement in economic and religious activities. In addition, the paragraph also regulates the technical aspects of wages. With the wisdom contained in these verses, the Indonesian Ulama Council makes these verses the basis for establishing several fatwas related to *ijarah* transactions. Several fatwas based on this verse include Indonesian Ulama Council fatwa No. 9 concerning *Ijarah*, as well as several fatwas that implement the *ijarah* scheme such as Safe Deposit Boxes, Hajj Management Financing at Islamic Financial Institutions, Syari'ah Import and Export L/Cs, Syari'ah Cards, Multiservice Financing, and several other fatwas related to *ijarah* transactions (Puspita Sari et al., 2021).

He said, *"Indeed, I wish to wed you one of these, my two daughters, on [the condition] that you serve me for eight years; but if you complete ten, it will be [as a favor] from you. And I do not wish to put you in difficulty. You will find me, if Allah wills, from among the righteous."* QS Al-Qashash: 27

In the interpretation of Ibn Kathir, it is explained that this verse is a technical description of remuneration in *ijarah* transactions. Prophet Musa asked to herd goats, with the reply that he would be married to one of the daughters of the Prophet Syu'aib as (I. F. I. Katsir, 2008). This verse is used as the basis for establishing the Indonesian Ulama Council fatwa No. 119/DSN-MUI/II/2018 concerning Ultra Micro Financing Based on Syari'ah Principles, where the contract implemented based on the fatwa is *ijarah* or *kafalah*.

Similarly, We awakened them so that they might question one another. Said a speaker from among them, *"How long have you remained [here]?"* They said, *"We have remained a day or part of a day."* They said, *"Your Lord is most knowing of how long you remained. So send one of you with this silver coin of yours to the city and let him look to which is the best of food, bring you provision from it, and let him be cautious. And let no one be aware of you"*. QS. Al-Kahfi: 19

This verse tells the story of Ashabul Kahfi, who was put to sleep by Allah a long time. When they wake up, they think about looking for food and drink. They also sent one to buy food and drink with the silver they brought (I. F. I. Katsir, 2008). This verse describes the technical delegation to someone to do something. Indonesian Ulama Council made this verse the basis for establishing several fatwas related to implementing the *wakalah* contract. Some of these fatwas include Indonesian Ulama Council fatwa No. 10 regarding *Wakalah*, as well as several other fatwas regarding Syari'ah Import Export L/C, Syari'ah Factoring, *Wakalah* SBSN, Syari'ah Electronic Money, as well as several other fatwas that implement the *wakalah* scheme, including the most recent fatwa namely fatwa No. 138 concerning the Application of Syari'ah Principles in the Clearing and Guarantee Mechanisms for the Settlement of Exchange Transactions on Equity-Type Securities at the Stock Exchange.

...[Moses] said, "If you wished, you could have taken for it a payment." QS Al-Kahfi: 77

This verse explains the technicality of taking wages for the work done by someone, as told by Prophet Musa in that verse. This verse was used to establish at least three Indonesian Ulama Council fatwas. The three fatwas were fatwa No. 71 concerning Sale and Lease Back, fatwa No. 72 concerning SBSN Ijarah Sale and Lease Back, and fatwa No. 76 concerning SBSN *Ijarah* Assets to be Leased.

[Joseph] said, "Appoint me over the storehouses of the land. Indeed, I will be a knowing guardian." QS. Yusuf: 55

In this verse, Allah tells of the King of Egypt who has recognized the honour of the Prophet Yusuf as. of the various accusations made. Prophet Yusuf also conveyed that he was good at guarding and had knowledge (I. F. I. Katsir, 2008). This verse is the basis for establishing a fatwa by the Indonesian Ulama Council on several fatwas regarding the *wakalah* scheme. Some of these fatwas include fatwa No. 10 concerning *wakalah*, as well as other fatwas that implement *wakalah* contracts such as *syarī'ah* export import L/Cs, *Syarī'ah* Factoring, SBSN *Wakalah*, and *wakalah bi al-istitsmār* contracts.

This verse describes the story of Prophet Yunus, who draws lots on boats, agreeing that the names that come out in the lots will be thrown into the sea to reduce the load on the boat (I. F. I. Katsir, 2008). This verse forms the basis for implementing the lottery permissible in *syarī'ah*. The Indonesian Ulama Council also made this verse the basis for establishing a fatwa regarding gifts for customers' funds of Islamic Financial Institutions, as stated in fatwa No. 86/DSN-MUI/XII/2012.

Conclusion

All of the divine *syarī'ah* are the same with the same origin. Because the One who sent down all the divine *syarī'ah* is Allah, then the core scope of all Shari'a is one. However, even though all of the divine *syarī'ah* come from the same source, and the essence contained is the same, there are differences in the details of the elements within them. *Syar'u man qablanā* is the *syarī'ah* law established by Allah. over the previous people before the people of the Prophet Muhammad as told and written in the Qur'an and Sunnah.

Scholars' views regarding *shar'u man qablana's* position as the source of Islamic law are generally divided into two classifications, namely the *syarī'ah* of the previous Prophet, which was not explained in the Qur'an or Sunnah, and the *syarī'ah* explained in the Qur'an or Sunnah. The second classification gave birth to three arguments among scholars. Namely, the law that has been stipulated so that it applies to the people of the Prophet Muhammad, the law that was cancelled or sanctioned by the *syarī'ah* of the Prophet Muhammad, and the law that was not stated directly whether it was stipulated or sanctioned. The scholars also have different views regarding the *syarī'ah* implemented by the Prophet Muhammad before his apostolate.

Indonesian Ulama Council has used several Qur'anic arguments containing the *syarī'ah* of the previous Prophet as the basis for establishing a fatwa. At least nine verses of the Qur'an serve as the basis for establishing several fatwas regarding contemporary Islamic finance in Indonesia.

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